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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,517	06/04/2001	Teddy C. Johnson	10980822-2	4949

7590 06/15/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

HAYES, JOHN W

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,517

Applicant(s)

JOHNSON, TEDDY C.

Examiner

John W Hayes

Art Unit

3621

NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Response To Arguments***

1. Applicant's arguments filed 30 March 2004 have been fully considered but are not persuasive.

2. Applicant argues that the hard communication link recited in claim 1 is not necessarily a hard communication link between the storeroom file storage areas and the customer account file storage areas. Rather, the hard link comprises a "pointer to a file". Applicant further asserts that in all the examples in the reference to Todd refer to simple data connections between components. Thus, applicant argues that the connections disclosed in Todd only refer to physical connections and not to hard links as recited in claim 1. Examiner notes, however, that applicant only refers to examiner's citing of Col. 5, lines 55-58 to support the rejection. Examiner cited other areas of Todd, in addition to Col. 5, lines 55-58, that shows this feature of the claim. Todd discloses that a customer logs in to the system and accesses customer and product information in a relational database management system (Figure 1B and Col. 6, lines 60-65). Todd also teaches that when a customer completes an order, the client accesses a hypertext link which accesses the file transfer server's URL and the product ordered by the customer is forwarded to the client (Col. 7, lines 15-43) allowing the client to access a file without copying the file to the customer account file storage area. Examiner submits that the hypertext link is a "pointer to a file". The database server also stores information regarding product name, version and directory name on the FTPD server (Col. 7 line 65-Col. 8 line 12). Examiner submits that the directory name on the FTPD server (132) serves as a pointer to a file and allows the customer to access this file without copying the file to the customer account file storage area in the database server (140).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 3621

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Todd, U.S. Patent No. 6,463,418.

As per **Claims 1 and 5**, Todd discloses a method of facilitating the transfer of data to authorized users over the Internet, the method comprising:

- running a web server process on at least one host machine (Figure 1A; Col. 5, lines 10-23);
- running an FTP server process on a separate host machine (Figure 1A; Col. 5, lines 10-23);
- establishing a secure communication line between the host machines (Figure 1A; Col. 8, lines 25-30);
- establishing at least one hard link between storeroom file storage areas and customer account file storage areas, the at least one hard link comprising a pointer to a file so that the file in the storeroom file storage areas can be accessed from the customer account file storage areas without copying the file to the customer account file storage areas (Col. 5, lines 55-60; Col. 6, lines 60-65; Col. 7, lines 30-43; Col. 8, lines 2-12; Col. 9, lines 5-10; Col. 12, lines 33-52);
- dynamically allocating customer access information from a secured database (Col. 6, lines 60-65; Col. 7, lines 30-43; Col. 8, lines 2-12 and 55-62; Col. 9, lines 5-10; Col. 12 line 65-Col. 13 line 8)

Todd discloses that a customer logs in to the system and accesses customer and product information in a relational database management system (Figure 1B and Col. 6, lines 60-65). Todd also teaches that when a customer completes an order, the client accesses a hypertext link which accesses the file transfer server's URL and the product ordered by the customer is forwarded to the client (Col. 7, lines 15-43) allowing the client to access a file without copying the file to the customer account file storage area. Examiner submits that the hypertext link is a "pointer to a file". The database server also stores information regarding product name, version and directory name on the FTPD server (Col. 7 line 65-Col. 8 line 12). Examiner submits that the directory name on the FTPD server (132) serves as a

Art Unit: 3621

pointer to a file and allows the customer to access this file without copying the file to the customer account file storage area in the database server (140). Todd discloses a link between the storeroom file storage areas and customer account file storage areas through a web server as described above, however, fails to explicitly disclose establishing a "hard link" between these storage areas. However, examiner submits that establishing a hard link between these two storage areas or even merging the functions of the web server and FTP server into one unit, thereby establishing a hard link between the customer account file storage areas and storeroom file storage areas would have been obvious to one having ordinary skill in the art at the time of applicant's claimed invention in order to improve efficiency of functional capabilities. Todd provides motivation by indicating that many variations, modifications, additions and improvements would have been understood by one having ordinary skill in the art and further indicates that the boundaries between modules are merely illustrative and alternative embodiments may merge modules or impose an alternate decomposition of functionality of modules (Col. 13, lines 35-57).

As per Claims 2-3, Todd discloses establishing a secure communication link between the host machines (Col. 8, lines 25-30), however, fails to explicitly disclose the use of DES encryption. Examiner takes Official Notice that the use of DES encryption to provide secure communications between devices is well known in the art and it would have been obvious to use this type of encryption and its benefits to implement a secure communication channel. Todd provides motivation by indicating that various encryption methods known in the art may be used to carry out the invention (Col. 6, lines 25-30 and 44-54).

As per Claims 4 and 11, Todd further discloses issuing at least one change root command to limit access by the authorized users in the customer account file storage areas (Col. 12 line 65-Col. 13 line 10).

Art Unit: 3621

As per Claim 6, Todd further discloses wherein the web server process receives a request from one of the authorized users for at least one file (Col. 7, lines 15-28; Col. 12, lines 3-14).

As per Claim 7, Todd further discloses wherein the web server process determines whether to provide said at least one file by accessing a database on a host machine through a firewall (Col. 7, lines 28-42; Col. 8 line 65-Col. 9 line 10).

As per Claims 8-10, Todd further discloses wherein the FTP process allocates space on the customer account file storage areas for the at least one file, creating a hard link pointing to the at least one file and allowing the authorized user access to the file (Col. 7, lines 30-43; Col. 8, lines 55-62; Col. 9, lines 5-10; Col. 12 line 65-Col. 13 line 8).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in

Art Unit: 3621

preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

7. The prior art previously made of record and not relied upon is considered pertinent to applicant's disclosure.

- Joffe et al disclose a distributed computing system and method for assigning user requests in a fashion that minimizes the amount of time for the request to be completed
- Kawaguchi discloses a file management system incorporating soft link data to access stored objects
- Devine et al disclose a secure server architecture for web based data management.

Art Unit: 3621

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be reached Monday through Friday from 5:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

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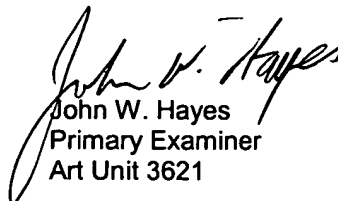
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Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.


John W. Hayes
Primary Examiner
Art Unit 3621

June 14, 2004